

# United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

MAR 26 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Venue: SAN FRANCISCO

v.

**ERIC "EDDIE" ESTRADA-CASAS**

**CRIMINAL COMPLAINT**

a/k/a ORLANDO RIVERA CORDERO

**JCS**

(Name and Address of Defendant)

CASE NUMBER: **3 08 70175**

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about December 20, 2002, in San Mateo County, in the Northern District of California, the defendant did, willfully and knowingly make a false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws in violation of Title 18 United States Code, Section 1542, False Statement in a Passport Application.

I further state that I am a Special Agent and that this complaint is based on the following facts:


**See attached Affidavit in Support of Criminal Complaint**

Maximum Penalties:

Title 18 USC Section 1542:

10 years of imprisonment; \$250,000 fine; 3 years supervised release; and \$100 special assessment fee


APPROVED AS TO FORM:

  
AUSA Owens

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Arrest Warrant Requested: ☒ Yes ☐ No

Bail Amount: \_\_\_\_\_

  
Signature of Complainant, Jeffrey Dubsick

Sworn to before me and subscribed in my presence,

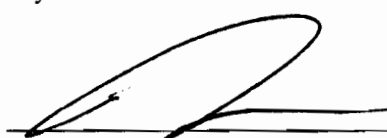
March 26, 2008  
Date

at San Francisco, California  
City and State

**Joseph C. Spero**

**United States Magistrate Judge**

Name & Title of Judicial Officer

  
Signature of Judicial Officer

UNITED STATES DISTRICT COURT )  
 )  
 ) ss. AFFIDAVIT  
NORTHERN DISTRICT OF CALIFORNIA )

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT  
CHARGING ERIC “EDDIE” ESTRADA-CASAS,  
A/K/A ORLANDO RIVERA CORDERO  
WITH VIOLATING 18 U.S.C. § 1542;  
FALSE STATEMENT IN APPLICATION FOR A PASSPORT**

I, Jeffrey C. Dubsick, being duly sworn, depose and state:

### ***Affiant Background***

1. I am a Special Agent employed by the Diplomatic Security Service (DSS) which is an agency of the United States State Department. DSS Special Agents are empowered under Title 22 U.S.C. § 2709 to investigate passport fraud and to apply for and serve arrest warrants.

2. I have a bachelor's degree from the University of California and am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program. I have been employed by DSS since December 2004, and have received and receive, on an ongoing basis, training in the laws, rules and regulations concerning passports. My previous investigations have resulted in at least 40 convictions for passport fraud or a related offense.

### ***Purpose of Affidavit***

3. This affidavit establishes probable cause to arrest ERIC "EDDIE" ESTRADA-CASAS, for False Statement in Application for a Passport, in violation of 18 U.S.C. § 1542, when he applied for a passport and falsely stated his place of birth was Puerto Rico, when his true place of birth is Mexico.

4. This affidavit is based in part upon my personal knowledge, interviews, and the review of various records and documents obtained during this investigation. This affidavit sets forth only those material facts that I believe are necessary to establish probable cause. It does not include each and every fact of this investigation, however, no detail or fact that would potentially negate probable cause has been excluded.

### ***Relevant Statute***

5. The Passport Act of 1926, as amended, was in full force and effect throughout the period of this investigation. This Act, codified in 22 U.S.C. § 211a, authorized the United States Secretary of State to grant and issue United States passports under rules prescribed by the President and/or other federal laws. Some of these rules are that a

person wanting a United States passport must complete and submit an application to the State Department and must submit proof of American citizenship, usually a birth certificate, and proof of identity, usually a driver's license and Social Security Number, with their application. Another rule allows officers at United States Post Offices to accept passport applications, and to then forward them to the State Department for processing.

6. Title 18 U.S.C. § 1542 states, in pertinent part, "Whoever willfully and knowingly makes any false statement in an application for a passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for their own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws...shall be fined under this title...or imprisoned not more than 10 years...or both." Title 18 U.S.C. § 3291 provides for a ten year statute of limitations for passport offenses.

#### ***Facts Supporting Probable Cause***

7. On or about December 20, 2002, a person purporting to be ORLANDO RIVERA CORDERO submitted an application for a United States passport at the San Mateo Post Office, which is located in the Northern District of California. A review of this application and other State Department records disclosed this person submitted a Puerto Rican birth certificate and a California Driver's License bearing the name of ORLANDO RIVERA CORDERO with his passport application, and also listed that he was born in Puerto Rico.

8. This application was referred to DSS for criminal investigation because of the existence of fraud indicators.

9. On April 23, 2003, a DSS Special Agent interviewed the person purporting to be ORLANDO RIVERA CORDERO. The DSS Special Agent did not believe that the applicant was born in Puerto Rico because he spoke with a Mexican accent and had Mexican phone numbers on his person, amongst other things. The DSS Special Agent recommended that no passport be issued to the applicant. This application and case remained unresolved.

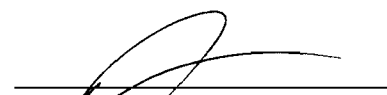
10. On March 15, 2008, as part of a "Cold Case" review, I obtained a copy of a fingerprint associated with the submitted California Driver's License for ORLANDO RIVERA CORDERO, mentioned above. I then submitted it to the Department of Homeland Security (DHS) for comparison. That same day, DHS matched this fingerprint to fingerprints previously on file for ERIC "EDDIE" ESTRADA-CASAS. DHS also reported that ESTRADA-CASAS was born in Mexico and that he was encountered by United States immigration officers twice in 1999.

#### ***Conclusion***

11. Based on the facts and information detailed in the affidavit, I believe probable cause exists that ERIC "EDDIE" ESTRADA-CASAS, also known as ORLANDO RIVERA CORDERO, made a false statement in a passport application, in violation of 18

U.S.C. § 1542, when he falsely stated he was born in Puerto Rico, on the aforementioned passport application submitted at the San Mateo Post Office in the Northern District of California. As such, I respectfully request a warrant for his arrest.

Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge, information and belief.



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Jeffrey C. Dubsick  
Special Agent  
Diplomatic Security Service  
San Francisco Field Office

SUBSCRIBED AND SWORN BEFORE ME  
ON March 26, 2008



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THE HONORABLE JOSEPH C. SPERO  
United States Magistrate Judge  
Northern District of California